

Case TIE-003PA

## REMARKS

Claims 1-26 were pending in the application. Independent claims 1 and 17 have been amended as set forth above. No claims have been added or cancelled. Thus, claims 1-26 are subject to continued examination.

ART REJECTIONS:

All claims stand rejected as being anticipated by or obvious over U.S. Patent 3,717,150 to Schwartz either standing alone or in combination with secondary reference U.S. Patent 5,759,662 to Heiman. Continued rejection on these grounds is respectfully traversed and reconsideration is requested.

As best understood, the Office Action relies on a broad interpretation of mechanical shrinkage to include shrinkage as a result of laundering and includes laundering equipment within the definition of textile compaction equipment. Without adopting the reasoning of the Office Action, each of the independent claims has been amended to recite that mechanical shrinking is carried out by application of mechanical compression force in the machine direction using force applying textile compaction equipment, such that the preliminary stitch bonded composite is placed into compression in the machine direction and shortened. These features are described at pages 10 and 11 of the written description as filed.

Applicant respectfully submits that even applying the broadest possible interpretation of the terms in the claim, there is a clear distinction from the teaching of the cited art. In this regard it is noted that language must be given its broadest reasonable interpretation and the scope

Case TIE-003PA

of that interpretation is a function of the ordinary and customary meaning that would be attributed by those of skill in the art in the field of the invention. MPEP §2111.01(II).

In the present case it is respectfully submitted that it is unreasonable to equate the laundry cycle shrinkage used in Schwartz with a recital calling for "application of mechanical compression force in the machine direction using force applying textile compaction equipment" as set forth in the independent claims. Specifically, those of skill in the art using the ordinary meaning of the claim terms would clearly understand that the claim language requires the positive application of mechanically induced compression force to the material using a force applying apparatus. Such an application of mechanically induced compression force as claimed is substantially different from the shrinkage mechanism used in the cited Schwartz reference.

A clear distinction between the cited Schwartz reference and the instant claims resides in the fact that the shrinkage mechanism used in Schwartz appears to be standard laundry cycle shrinkage. As best understood, laundry cycle shrinkage is based on relaxation of previously applied tensile forces in a heated and lubricated environment. The relaxation causes the yarns and fibers to shrink back towards an unstressed low energy equilibrium state. No mechanical compression force is applied and the resultant material is not in a state of compression. At best, Schwartz is simply releasing tension in the yarns causing a natural contraction using energy that was already stored in the material. It is respectfully submitted that this is clearly distinguishable from the positive introduction of mechanical compression as presently claimed.

Case TIE-003PA

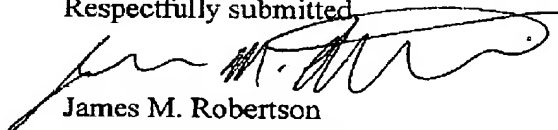
Conclusion:

For the reasons set forth above, Applicant requests the reconsideration and withdrawal of all outstanding rejections and that all claims be passed to issue.

Should any issues remain after consideration of this Amendment and accompanying Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

A request/petition for a one (1) month extension of time accompanies this paper. In the event that additional time is required to have these papers considered timely, Applicants hereby petition for any additional time as may be required. Authorization is hereby granted to withdraw any extension fees or other fees necessary for acceptance of this paper from our Deposit Account No. 50-1424.

Respectfully submitted,



January 16, 2006

James M. Robertson  
Attorney for Applicant(s)  
Registration Number 36,905  
Telephone: (864) 583-0030  
Fax: (864) 583-0002